

# Landlords Of Linn County

## Newsletter

SEPTEMBER 2010

### SPECIAL POINTS OF INTEREST:

- Upcoming Meetings
- Changes to Chapter 29 Housing Code
- Evening "Networking Meetings"
- New member packages explaining membership benefits and training

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## Upcoming Monthly Meetings

### SEPTEMBER 9, 2010

Bed Bugs! Are they coming to your property?

Location:  
Clarion Convention Center  
525 33rd Avenue SW  
Cedar Rapids, IA 52404

Social Hour at 6pm

Dinner and program at 7pm

\$12.00 per Person

### OCTOBER 15-16, 2010

Landlords Iowa State Convention in Dubuque, Ia,

See inside newsletter for more details

### NOVEMBER 11, 2010

Details are being finalized check our website for the latest details.



## City's New Landlord Licensing Program in Effect

### FOR IMMEDIATE RELEASE

CEDAR RAPIDS, IA – August 23, 2010 – The City of Cedar Rapids Code Enforcement Division has begun implementing the new landlord licensing and rental housing registration program as part of the new Chapter

29 of the Municipal Code. This program includes new requirements for landlord licenses, rental housing registration and tenant agreements.

Landlord Licenses  
Landlords, property owners and rental property operators are now required to be

licensed in order to rent residential properties in Cedar Rapids. This license is only required one time per landlord/owner/operator. The license fee is \$50.00. License applications are available at the Code Enforcement Division's office in the Public Works building at 1201 6<sup>th</sup> Street SW. In

# Chapter 29 continued....



addition, applicants must submit a list of all rental unit housing to be associated with the license. There is a

single family dwellings or duplexes to \$25.00 for multi-family dwellings plus \$8.00 for individual

available for review during the compliance inspection by City inspectors. The addendum is available on the City's Web site at [www.Cedar-Rapids.org](http://www.Cedar-Rapids.org) and at the Code Enforcement Division's office in the Public Works building at 1201 6<sup>th</sup> Street SW.



\$1,000 penalty for each month of a delinquent license or rental unit registrations after October 31, 2010.

## Rental Housing Registration

All rental housing must be registered annually. The registration fees range from \$30.00 for

apartments or units. All rental units transferred or purchased after July 19, 2010 must be registered within 30 days of the transaction. There is a \$1,000 penalty for each month of a delinquent license or rental unit registrations after October 31, 2010.

All aspects of the new program are expected to be implemented by October 2010. For more information about this program, please visit the Housing Inspections section of the City's Web site at <http://www.cedar-rapids.org/government/departments/code-enforcement/housing-inspections/Pages/default.aspx>.

## Tenant Agreements

All landlords must use a Crime Free Lease Addendum/Agreement with tenants. This addendum must be incorporated into all new and renewal leases and made



# Evening Monthly “Networking Meetings”

Thanks to everyone who has attended our evening meetings in 2010. Our attendance and feedback has been great!

This is probably one of the biggest changes for our organization but for good reason. We looked around the state of Iowa and talked to other landlord organizations and the most successful monthly meetings were in the evenings. We've had a number members ask for evening meetings because they work during the day.

We also feel rushed at our noon

meetings as people need to get back to work or their properties.

The new schedule is:

6pm drinks/social hour

7pm dinner

7:15-8pm presentation

There will be a short Vendor Spotlight at each monthly meeting

Again we want to create more of a monthly social gathering so our members can get to know each other more, ask questions and discuss landlord topics.

Of course some will prefer Noon meetings but we need to commit to this change and not switch back/forth and confuse the group!



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## LinnForRent.com and yard signs

All landlords members who have paid their 2010 membership are eligible to receive LinnForRent.com yard signs for free!

If you paid your 2010 membership and you have not received your signs be sure and attend our next meeting and you can pick up your signs there.

There are large yard signs as well as 1/2 size directional signs.



Both signs have space for you to put your phone number and it gives the tenants a website to view your listing online.

If you haven't reviewed our online site yet go to <http://LinnAreaRentals.com>

**For Rent yard signs will drive tenants to our website to learn more about the property for rent.**

## New Member Packages

ALL current paid members will receive a New Member Package after January 2010 for no additional cost!

New members after Jan 1, 2010 will pay a \$25 processing fee to receive the package.

The processing fee pays for the “New Member Package” and the package will include:

One/two 24”x36” coroplast “For Rent” sign and post

Two 8” x 36” coroplast “For Rent” directional signs and posts

CD containing most recent copy of Iowa landlord forms

Tri-fold brochures explaining our organization

Crime fee/drug free stickers for

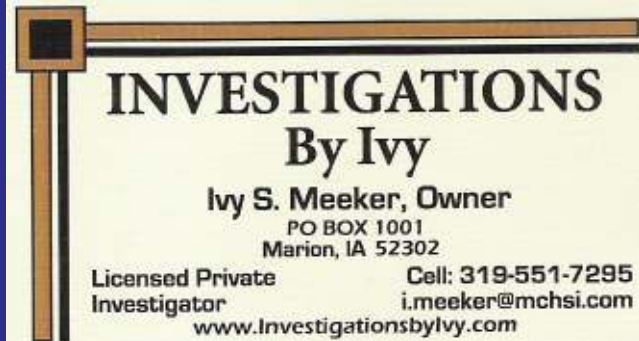
your properties

(Additional signs can be purchased)

Attend the next meeting to receive your new member package.



# Letter from the President



Hello Members,

On Thursday, July 29,  
2010, Landlords of Linn  
County

filed a  
petition for  
summary  
judgment  
(lawsuit)  
against  
Chapter 29.  
There are

sections of Chapter 29  
that the Board and our  
attorney deemed illegal  
and infringes on  
Landlord Rights. The city  
of Cedar Rapids was  
served on Friday, July 30,  
2010 and has 20 days to  
respond. Unfortunately,  
it is now a waiting game.  
It will be 90+ days before  
we have an answer from  
a judge.

Don't forget that if you  
wish to contribute to our  
legal fund, please mail a  
check/money order to  
our mailing address.

Please feel free to  
contact me as I am the  
elected spokesperson for  
Landlords of Linn County  
with respect to the  
lawsuit.

I'll keep everyone up to  
date as the suit  
progresses.

I may be contacted at  
319-329-5378 (cell) or  
319-362-1020  
(office). My email is  
[President@LandlordsofLinnCounty.org](mailto:President@LandlordsofLinnCounty.org).

Regards,  
Stephanie Feuss  
President  
Landlords of Linn County



5454 Center Point Rd. N.E., Cedar Rapids, IA 52402  
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Jim Zachar

## Summary of Iowa Landlord and Tenant Law

by: Iowa Legal Aid  
<http://www.iowalegalaid.org>  
Iowa Landlord and Tenant  
Act applies to rental agree-  
ments for most houses or  
apartments. It does not  
cover all situations. A rental  
agreement is the under-  
standing between the land-  
lord and tenant. It may be  
in writing or oral. See other  
articles posted on this web-  
site and the Iowa Legal Aid  
publication *A Guide to  
Landlord Tenant Law in  
Iowa* for more details about  
landlord and tenant law.

### Duties of Landlords

#### (Iowa Code 562A.15)

In most cases, the duties of  
the landlord include:

- Follow building and  
housing codes that  
affect health and safety  
in an important way;
- Make repairs to keep  
the house or apartment  
in a fit and livable con-  
dition;
- Provide for garbage  
receptacles and re-  
moval;
- Supply hot and cold  
running water and  
heat, unless the tenant  
pays the utility com-  
pany directly, and the  
water heater and fur-  
nace are under the  
tenant's control;
- Keep areas used by the  
tenants of more than  
one apartment clean  
and safe; and





# Iowa Landlords State Convention

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## Why should you attend the Landlords State Convention?

This is your opportunity to shine!!! You can display, promote, and showcase your company's products and services.

You have the opportunity to meet over 150 landlords or managers from throughout Iowa and the Tri-State area. You will have ample time to display and converse with each and every one of them.

You can advertise in our convention Attendee Agenda Packet which will be a resource for the entire year for our attendees.

Your participation will be promoted in the August (prior to convention) and November newsletter

(post convention).

You will be listed on our association Websites an exhibitor/vendor at the 2010 convention.

Following the convention, you will receive an electronic list of all attendees.

The exhibit areas will be open Friday, October 15, from 8 AM to 7:30 PM. The exhibit area will be located as close as possible. Your registration fee includes the Friday lunch (one comp ticket), breaks, and evening reception. You will also have a chance as a vendor to address the attendees as a group on Friday afternoon.

Tracie Gutknecht  
Branch Manager

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## Continued....Iowa Landlord Tenant Law

- Keep facilities and appliances such as electric wiring, plumbing, heating, and air conditioning in good and safe working order.

Only in limited cases can the landlord and tenant agree that the tenant will be responsible for any of the landlord's duties. In any case where the tenant agrees to be responsible for the landlord's duties, the agreement should be in writing, and fair to both.

### **Duties of Tenants (Iowa Code 562A.17)**

In addition to paying rent, the tenant must do all of the following:

- Follow any building and housing codes that apply to tenants, and that affect health and safety in an important way;
- Keep his or her living area clean and dispose of garbage properly;
- Properly use all appliances and facilities such as plumbing, heating, wiring, air conditioning;
- Not damage or abuse the apartment on purpose or carelessly, or knowingly allow someone else to do so; and
- Avoid doing things that will disturb the neighbors' peace and quiet.

### **Landlord's Remedies**

A landlord can take certain steps if a tenant fails to comply with the law or the rental agreement.

- If the tenant violates his or her duties in a major way, like not paying rent, the landlord may cancel the rental agreement

## 2010 Executive Committee Members

### **President**

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Joe Kelly  
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# Continued....Iowa Landlord Tenant Law

by giving proper written notice. The length of time in the notice depends on what was done to violate the rental agreement. In most cases, the landlord has to give the tenant a chance to fix whatever the problem was. Once the landlord takes proper steps to cancel the agreement, he or she must file a court action. The court can take action to remove the tenant from the rental unit if the tenant fails to move. It is illegal for a landlord to try to force a tenant to move by any other means, such as changing locks or shutting off the utilities.

- In some cases, if a tenant damages the property, the landlord may require the tenant to pay for the necessary repairs. However, a landlord is not allowed to hold a tenant's property even if the tenant owes rent or owes money for damage to the property.

## Tenant Remedies

If a landlord fails to perform some of his or her important duties, the tenant may end the agreement by giving a proper written notice. The length of time in the notice depends on what has happened. In some cases, the tenant

must give the landlord a chance to fix the problem(s). Sometimes the tenant can make repairs and deduct the cost from rent owed to the landlord. Very specific steps must be taken to end an agreement or withhold rent. A tenant should also consider contacting the Housing Inspector if a landlord fails to make necessary repairs and maintain the house or apartment. Some cities have ordinances that require the tenant to give the landlord the written notice to fix the problem (s) before the Housing Inspector will inspect the home, except in the case of an emergency.

## Ending the Rental Agreement

Normally, unless there is a violation of the agreement, neither the landlord nor the tenant can end a rental agreement during its term. For example, in most cases a six month rental agreement cannot be ended until the 6 months are up. To end a month-to-month agreement, written notice must be given at least 30 days before the next time rent is due (not including any grace period). For example, if rent is due on the first of the month, and the landlord gives a notice to end the agreement on the 10th of June, the earliest the tenancy could end would be the 1st of August. Please also see "[How Can a Rental Agreement Be Ended?](#)" for more information.

## Rental Deposits (Iowa Code 562A.12)

A landlord may not ask for more than two months' rent as a security deposit. After the tenant has moved and left a new mailing address, the landlord has 30 days to return the deposit or explain

to the tenant in writing exactly why the landlord is keeping some or all of the deposit. If the landlord does not contact the tenant in writing within the 30 days, then the landlord loses his right to keep any of the deposit and the tenant may be able to recover \$200.00 or more if the landlord is not being fair. Other rules apply to deposits as well.

## Some Other Important Points

- Except in cases of emergency, a landlord should normally give a tenant 24 hours notice of the landlord's intent to enter the house or apartment. If tenants are going to be gone for a length of time, it is a good idea to let the landlord know.
- It is illegal for a landlord to get back at a tenant for complaining about the condition of the property to the landlord or housing inspector. In such cases, the law presumes that the landlord is retaliating against (getting back at) the tenant, if within one year, the landlord tries to raise the rent or evict the tenant. An important exception, however, is that when the rent is not paid, the law does NOT presume retaliation.

# NYC looks to stop spreading bedbug infestations

This was sent to us from Joe Kelly our lobbyist, could this become a problem locally?

By SARA KUGLER FRAZIER,  
Associated Press Writer Sara  
Kugler Frazier, Associated  
Press Writer NEW YORK

— One of every 15 New Yorkers battled bedbugs last year, officials said Wednesday as they announced a plan to fight the spreading infestation, including a public-awareness campaign and a top ento-

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multiplied throughout

## Continued..... Iowa Landlord Law



- In providing housing, it is illegal to discriminate

because of a person's race, color, creed, sex, sexual orientation, gender identity, religion, national origin, disability, or against a person because they have children. If you have questions regarding this or any legal matter you should consult an attorney for legal advice.

The Iowa Legal Aid Website is a project of Iowa Legal Aid, the Volunteer Lawyer Projects of the Iowa State Bar and Polk County Bar Associations, and HELP Legal Assistance

## Continued.. Bed bugs NYC

New York and many other U.S. cities in recent years.

Health officials and pest control specialists nationwide report surges in sightings, bites and complaints. The Environmental Protection Agency hosted its first-ever bedbug summit last year.

In New York City, the pests have been discovered in theaters, clothing stores, office buildings, housing projects and posh apartments.

The stigma of having

bedbugs — whose bites leave itchy red welts — and the elusive nature of the pests make it impossible to fully understand the problem, experts say. But in 2009, for the first time, Mayor Michael Bloomberg's administration included a question about bedbugs on its community health survey, and it revealed the finding to The Associated Press on Wednesday: More than 6 percent of New Yorkers who responded said they had battled the pests in the

last year.

The figure would equal roughly 400,000 adults in the city, the health department said.

Data previously has been limited to government statistics on complaints and surveys of private pest-control companies, which have also reported nationwide spikes.

The Bloomberg administration fielded 537 complaints about the bugs in fiscal 2004. In fiscal 2009, there were nearly 11,000. "This is happening globally, and I don't



## Continued.. Bed bugs NYC

think anybody has figured out exactly why," said Daniel Kass, the city's deputy commissioner for environmental health. "So what we're left with is managing them and keeping them from spreading. They're going to be with us for some time."

Bedbugs are about the size of an apple seed and burrow into many more places than beds. They can slip into floor cracks, wall outlets, picture frames, lamps — any tiny space. People who have bedbugs often never see them. The most obvious signs are bites, blood on bedsheets and their waste, which looks like black pepper. They are known for being extremely difficult to eradicate, and can go a year without feeding. Bedbugs were nearly dormant for decades, and the recent comeback has experts scratching their heads. Some attribute the resurgence to an increase in global travel and the prohibition of potent pes-

ticides like DDT.

New York convened a government advisory board last year to study the problem and make recommendations.

The report said one major roadblock to stopping the bedbug spread is lack of knowledge about prevention and the patchy and sometimes erroneous information about treatment.

"If you have termites, you know how to deal with it. If you see a rat, you know who to call. This is confusing," said City Council Speaker Christine Quinn. "The biggest issue is lack of clarity and not having any actual sense of what the next step is and where you go to get that."

Carol Gittens said she discovered bedbugs in her Brooklyn apartment two years ago, and estimates she has spent at least \$3,000 replacing her things.

"We had to throw everything out — mattresses, clothes," she said.

The apartment was thoroughly cleaned and she thought she had eliminated them. But a neighbor recently reported she has bedbugs, and Gittens said she might have them in her apartment again.

The high cost of throwing out infested belongings and hiring exterminators contributes to bedbugs' spread, officials said. Many people, particularly those with low incomes or in public housing, cannot afford to do what it takes.

Acting on the report's recommendations, New York City said Wednesday it was re-appropriating \$500,000 of health department money to begin the first phase of a bedbug battle plan, which is mostly concentrated on information, outreach and the creation of an entomologist-led bedbug team.

Some of the money will go toward creating an online bedbug portal where New Yorkers can find information about avoiding the

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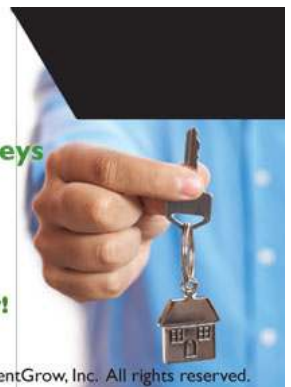
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## Continued.. Bed bugs NYC

pests as well as how to treat their homes. The city already has a rat-information portal.

Many people are unaware they have the bugs, officials said, and end up spreading them by carrying them on their clothing or discarding personal items that have the bugs.

Travelers also need to be more vigilant, the city says.

"Everyone has got to get used to the idea that they have got to check for them periodically," Kass

said. "People who travel should look at the rooms they're staying in. They should check their clothing. There are good preventive measures."

Experts recommend looking for bugs with a bright flashlight, and using a hot hair dryer to flush them out of hiding places and cracks.

Bedding, linens, curtains, rugs and clothes from infested homes must be washed in hot water. Mattresses, furniture and floors must be vacuumed,

and vacuum bags should be immediately disposed in sealed plastic bags. Hiring a certified exterminator to apply pesticides is also recommended.

Officials also said the city would adopt the report's recommendation of working to establish protocol for disposing of infested furniture and other personal items.

The report also suggested more work should be done by agencies that serve lower-income New Yorkers, and public housing infestations should be addressed more quickly. But at a time when the city is cutting services and shrinking its job force to save money, those goals are likely not immediately achievable.

## City's Section 8 Housing Offers Path to Homeownership

Generally associated with providing rent assistance, the City of Cedar Rapids' Section 8 Housing Choice Voucher Program also offers eligible families the opportunity to become homeowners. So far in 2009 there have been three (3) families that have transitioned from being a renter to a homeowner. This transition was made possible in part by the City's Section 8 Housing Program. As with all families who become homeowners for the first time, the stories of these three families vary. One of these families was kind enough to share their story:

Diane, a participant in the City's rent assistance program since 1998, had been thinking in recent years of

buying her own home. While renting had filled a need, she wanted to establish a permanent residence. By having such a residence, her family could have greater security and stability. The idea of homeownership also appealed to Diane in terms of having a place she could continue to live in during her retirement years.

In the last two years Diane, with assistance from the Family Self-Sufficiency staff, worked towards her goal of homeownership. Since Diane had maintained a good credit score over the years, her primary focus was to complete the required homeownership classes and continue to save money for the home purchase. On September 1, 2009,

the realization of Diane's goal became a reality. Diane and her family now reside in a home they can call their own, thanks in part to the Section 8 Housing Choice Voucher Homeownership Program.

If you have any questions about this program, please call the Cedar Rapids Housing Services Office at 286-5872.



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## **Landlords of Linn County**

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# **We want your ideas and feedback!**

Our primary goal is to offer more benefits and tools to both our landlord and vendor members.

By harnessing current technologies we now offer a website for tenants to look for current properties "For Rent", and contact the owners.

Our website has become the place to find a unit for rent! Landlord members pay nothing for this service, only their annual membership!

Vendors have new opportunities to advertise not only to our landlords but to tenants visiting our website!

We are counting on you, our members to get the word out about our new website. We will by distributing attractive yard signs and directional signs to bring more tenants to your properties. Combine that



**Do have an idea where to host a monthly meeting?**

**Do you want to host a monthly meeting?**

with newspaper advertising and our website will be connected to social network sites like Facebook and Twitter!

As always we are open to any other ideas or feedback you might have.

Send your comments/ideas to:  
[Membership@LandLordsOfLinnCounty.com](mailto:Membership@LandLordsOfLinnCounty.com)